



California Regional Water Quality Control Board

San Diego Region



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Arnold Schwarzenegger
Governor

December 3, 2004

Mr. David A. Caretto
General Manager
South Orange County Wastewater Authority
34156 Del Obispo
Dana Point, CA 92629

In Reply Refer To:
POTW: 01-0117.02: hansd

COMMENT RESPONSES AND ERRATA SHEET FOR TENTATIVE ADDENDUM NO. 3 TO ORDER NO. 2001-08, NPDES PERMIT NO. CA0107611, WASTE DISCHARGE REQUIREMENTS FOR THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY DISCHARGE TO THE PACIFIC OCEAN THROUGH THE ALISO CREEK OCEAN OUTFALL, ORANGE COUNTY

The Regional Board has reviewed all written comments received regarding tentative Addendum No. 3 to Order No. 2001-08, NPDES Permit No. CA0107611. The only comments received to date are those from the South Orange County Wastewater Authority. Below are the comments received and Regional Board responses:

- Comment:** Page 2, Finding No. 5.a.2 – “Well ET-1 treatment is at intersection of Jeffrey Road and Irvine Center Drive”
Response: The suggested change will be made. See Errata Sheet (attached) item 1.
- Comment:** Page 2, Finding No. 5.b – “The RO treatment is located about ¼ mile southeast of intersection of San Canyon Avenue and Irvine Center Drive.”
Response: The suggested change will be made. See Errata Sheet item 2.
- Comment:** Page 2, Finding No. 6 – “Irvine Ranch Water District will route flow through the South Irvine Brine Line, not the Regional Brine Line.”
Response: The suggested change will be made. See Errata Sheet item 3.
- Comment:** Page 2, Finding No. 6 – “The facility located on Muirlands is referred to a IRWD’s Los Alisos Water Reclamation Plant.”
Response: The suggested change will be made. See Errata Sheet item 3.
- Comment:** Page 3, Finding No. 10 – “While understanding that the basis for including this requirement is 40 CFR Part 133, we are, nevertheless, registering our objection to this language as unnecessary. It is our opinion that the inclusion of this requirement, which is a significant departure from past practices and previous permit language, provides no additional value to protecting the environment, in light of the fact that the outfall itself consistently meets or exceeds the discharge specifications. While we are confident that each facility will be able to comply with this new requirement, we are nevertheless concerned that

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unavoidable or unintentional facility performance mishaps may offer the Regional Board additional opportunities to levy penalties and/or fines without giving due consideration to the actual impacts on the receiving waters.”

Response: It is our position that the technology-based effluent limitations for total suspended solids (TSS), 5-day carbonaceous biochemical oxygen demand (CBOD₅), and pH specified in 40 CFR Part 133 apply to each individual municipal sewage treatment facility discharging to the ACOO, preventing poorly performing facilities from circumventing technology-based secondary treatment standards (as set forth in 40 CFR Part 133) through dilution and preventing the discharge of toxic materials causing exceedance of the water quality objectives set forth in the California Ocean Plan. This is consistent with USEPA interpretation of 40 CFR Part 133 as it applies to multiple municipal wastewater treatment facilities sharing common outfalls and with other similar permits issued by other Regional Boards within California. See Errata Sheet Item 4.

The attached Errata Sheet was prepared to incorporate modifications to the tentative addendum. The Regional Board will consider adoption of the tentative addendum, with the proposed errata, at their December 8, 2004 regularly scheduled meeting.

If you have any questions, please contact Mr. David Hanson at (858) 467-2724 or dhanson@waterboards.ca.gov.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

enclosures
cc: interested party list

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